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c 42 Operating Engineers Amendment Act, 1982

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CHAPTER 42

An Act to amend the Operating Engineers Act

Assented to July 7th, 1982

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.—(1) Paragraphs 1 and 9 of section 1 of the *Operating Engineers Act*, being chapter 363 of the Revised Statutes of Ontario, 1980, are repealed. s. 1,
pars. 1, 9,
repealed
- (2) Paragraph 14 of the said section 1 is amended by striking out “or a hoisting plant, steam hoisting plant” in the fourth and fifth lines. s. 1, par. 14,
amended
- (3) Paragraph 16 of the said section 1 is repealed and the following substituted therefor: s. 1, par. 16,
re-enacted
 16. “pressure vessel” means a vessel that is heated or its contents are heated by,
 - i. a flame or the hot gases of combustion,
 - ii. electricity, or
 - iii. a liquid.
- (4) Paragraph 24 of the said section 1 is repealed. s. 1, par. 24,
repealed
2. Clauses 2 (c), (d), (e) and (i) of the said Act are repealed. s. 2
(c, d, e, i),
repealed
3. Subsection 3 (1) of the said Act is repealed and the following substituted therefor: s. 3 (1),
re-enacted
 - (1) There shall be appointed a chief officer and such inspectors as are necessary to administer and enforce this Act and the regulations and such persons shall be subject to the direction and control of the Minister. Chief
officer and
inspectors
4. Section 4 of the said Act is repealed. s. 4,
repealed

s. 7 (1),
re-enacted;
s. 7 (3),
repealed

Certificates
of registration

5. Subsections 7 (1) and (3) of the said Act are repealed and the following substituted therefor:

(1) The chief officer, upon receiving an application and payment of the fee, shall issue to the user of a plant a certificate of registration.

s. 8 (2),
repealed

6. Subsection 8 (2) of the said Act is repealed.

s. 9,
re-enacted

7. Section 9 of the said Act is repealed and the following substituted therefor:

Registration

9. Where the setting of a safety valve or Therm-hour rating of a registered plant is changed, the user of the plant shall notify the chief officer in writing within fifteen days with full particulars of the change and where the change is sufficient to change the classes of operating engineers or operators required for the plant, he shall return the certificate of registration together with the prescribed plant registration application form and the prescribed fee, whereupon the chief officer shall issue a new certificate of registration for the plant.

s. 15 (1),
pars. 3, 4,
repealed

8. Paragraphs 3 and 4 of subsection 15 (1) of the said Act are repealed.

s. 16 (8, 9),
repealed

- 9.—(1) Subsections 16 (8) and (9) of the said Act are repealed.

s. 16 (10),
amended

(2) Subsection 16 (10) of the said Act is amended by striking out “or of a steam hoisting engineer” in the second line.

s. 20,
re-enacted

10. Section 20 of the said Act is repealed and the following substituted therefor:

Temporary
absences

20. While a plant is in operation, an operating engineer or an operator qualified to be in charge of the plant shall be present in its boiler room, compressor room or engine room, as the case may be, or, where the plant is not enclosed, he shall be present in its immediate vicinity,

(a) unless an operating engineer or an operator holding a certificate of qualification that is not more than one class lower is present during his absence; or

(b) unless his absence is authorized by the regulations,

and unless, in either case, he is satisfied at the time of his leaving the plant that it is operating safely.

s. 22 (1),
amended

11. Subsection 22 (1) of the said Act is amended by striking out “Board” in the first, third and sixth lines and inserting in lieu thereof in each instance “chief officer”.

- 12.**—(1) Subsection 23 (1) of the said Act is amended by striking out “Board” in the first line and in the fourth line and inserting in lieu thereof in each instance “chief officer”. s. 23 (1), amended
- (2) Subsection 23 (2) of the said Act is amended by striking out “Board” in the third line and inserting in lieu thereof “chief officer”. s. 23 (2), amended
- 13.**—(1) Section 24 of the said Act is amended by striking out “Board” in the first line and inserting in lieu thereof “chief officer”. s. 24, amended
- (2) Clause 24 (*k*) of the said Act is amended by striking out “Board” in the first line and inserting in lieu thereof “chief officer”. s. 24 (*k*), amended
- 14.** Subsections 25 (1), (3), (4), (5) and (7) of the said Act are amended by striking out “Board” wherever it occurs and inserting in lieu thereof in each instance “chief officer”. s. 25 (1, 3, 4, 5, 7), amended
- 15.** Subsection 26 (1) of the said Act is amended by striking out “Board” in the first line and inserting in lieu thereof “chief officer”. s. 26 (1), amended
- 16.** Subsection 27 (4) of the said Act is amended by striking out “Board” in the fourth and seventh lines and inserting in lieu thereof in each instance “chief officer”. s. 27 (4), amended
- 17.** Section 30 of the said Act is repealed and the following substituted therefor: s. 30, re-enacted
30. Every operating engineer or operator shall display conspicuously his certificate of qualification in the engine room, compressor room or boiler room of the plant in which the operating engineer or operator works. Posting of certificates
- 18.** Subsection 35 (1) of the said Act is repealed and the following substituted therefor: s. 35 (1), re-enacted
- (1) Every person who contravenes or fails to comply with any of the provisions of this Act or the regulations, fails to comply with an order of an inspector or hinders or obstructs any person in the performance of his duties under this Act or the regulations, is guilty of an offence and on conviction is liable to a fine of not more than \$10,000 or to imprisonment for a term of not more than twelve months, or to both. Offences
- 19.** Clauses 37 (*a*) and (*e*) of the said Act are repealed and the following substituted therefor: s. 37 (*a, e*), re-enacted
- (a) prescribing the qualifications of inspectors;
-

(e) prescribing the conditions of re-examination of applicants for certificates of qualification who have failed to pass the examinations required by the chief officer.

Commence-
ment

20. This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

21. The short title of this Act is the *Operating Engineers Amendment Act, 1982*.